

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PATRICIA SCHUPPERT, an  
individual,

No. 3:19-CV-1865-AR

Plaintiff,

ORDER

v.

ORCHARD SUPPLY CO., LLC, a foreign  
limited liability company doing business as  
Orchard Supply Hardware, a wholly owned  
subsidiary of LOWE'S COMPANIES, INC.,  
a foreign corporation; LOWE'S HOME  
CENTERS, LLC, a foreign limited liability  
company,

Defendants.

HERNÁNDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation on January 27, 2022, in which he recommends that the Court grant Defendants' Motion to Dismiss. F&R, ECF 63. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v.*

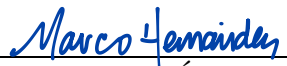
*Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

### CONCLUSION

The Court adopts Magistrate Judge Acosta's Findings and Recommendation [63]. Accordingly, Defendants' Motion to Dismiss for Lack of Prosecution and for Discovery Sanctions [52] is GRANTED.

IT IS SO ORDERED.

DATED: March 27, 2022.

  
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MARCO A. HERNÁNDEZ  
United States District Judge